

### **REMARKS**

Claims 1, 2, 4, 5, 7-9, and 14, are all the claims pending in the application. Claims 1 and 5 have been amended, Claim 3 has been canceled without prejudice or disclaimer, and Claim 14 has been added to further define the present invention. It is believed and intended that no new matter is added by this amendment. Reconsideration and allowance of all claims are respectfully requested in view of the following remarks.

#### **Drawings**

Replacement drawing sheets 10/11 and 11/11, which incorporate previously approved drawing changes, are attached hereto.

#### **Priority**

The Examiner is respectfully requested to acknowledge the claim for foreign priority made June 17, 2003.

#### **Rejections - 35 U.S.C. § 112**

The Examiner rejected Claims 1, 2, and 5, under § 112, 2<sup>nd</sup> paragraph, as being indefinite. Specifically, the Examiner cited two recitations as lacking antecedent basis. Claims 1 and 5 have been amended to more clearly define the claimed invention.

#### **Rejections under 35 U.S.C. § 102**

The Examiner rejected Claims 1-5 and 7-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,327,237 to Baden (hereafter referenced as '237), stating that '237 clearly discloses a roller run-out prevent portion which is less than or equal to a length of a roller and greater than 0.75 times the length of the roller<sup>1</sup>. The Applicant traverses this rejection for at least the reasons set forth below.

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<sup>1</sup> Office Action at paragraph bridging pages 2-3.

An apparatus consistent with the present application relates to a roller guiding machined integral one-piece retainer for a roller bearing (p. 16, lines 5-7). The retainer includes a run-out preventing portion having an axial length equal to or less than the roller effective length  $e$  and preferably greater than 0.75 times the roller effective length  $e$  (page 23, lines 4-9).

'237 discloses a method for making retainers for antifriction bearings, which consists in first drilling circular openings radially from one side to the other side of a solid ring, then broaching the ring to form the circular opening into an opening having straight sides parallel with the axis of the ring, then broaching from one side to the other side of the ring along the sides of the openings, and finally shaving the material between the sides of the ring to form opposed roller pockets of substantially the curvature of the roller (col. 1, lines 12-36).

'237 does not teach a run-out preventing portion having an axial length equal to or less than the roller effective length  $e$  and preferably greater than 0.75 times the roller effective length  $e$ , as is claimed. The Examiner states that '237 "clearly" discloses a length of a roller run-out preventing portion meeting the claimed limitation, but the Applicant is unable to locate any such teaching in '237, and requests that the Examiner provided a basis for support of his assertion. The Examiner seems to be relying upon the drawings of '237 for this limitation; but such reliance is impermissible in the absence of an indication that the drawings are shown to scale. *See* MPEP 2125.

In addition, with respect to claim 5, '237 also does not disclose a sectional configuration of a run-out preventing portion along the radial direction of the retainer on the pillar side being formed into a curved line smoothly connecting to a first pocket surface and having a radius of curvature protruding toward the pocket, as is presently claimed. For example, such a smooth connection between the pocket surface 1a and the surface of the runout preventing portion 1d may be obtained by using a first tool 7 in which the contour 6 of the milling cutter 5 thereof is formed into the configuration shown in Fig. 7. (*See* page 25, line 21 through page 27, line 24.) '237 does not disclose a smooth connection as claimed.

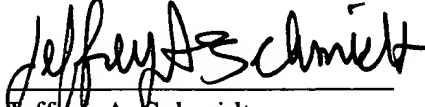
For at least these reasons, '237 is a deficient reference and the Applicant respectfully requests that the rejection of Claims 1, 2, 4, and 7-9, under 35 U.S.C. § 102(b) be withdrawn.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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Jeffrey A. Schmidt  
Registration No. 41,574

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: October 10, 2003